

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Schools and Libraries)	CC Docket No. 02-6
Universal Service Support Mechanism)	
)	
Request for Review and/or Waiver by)	Application No. 181022728
Phoenix Elementary School District 1)	
of a Funding Decision by the)	
Universal Service Administrative Company)	

**REQUEST FOR REVIEW AND/OR WAIVER
BY PHOENIX ELEMENTARY SCHOOL DISTRICT 1
OF A FUNDING DECISION BY THE
UNIVERSAL SERVICE ADMINISTRATIVE COMPANY**

Pursuant to sections 54.719 and 54.722 of the Commission's rules,¹ Phoenix Elementary School District 1² in Phoenix, Arizona (Phoenix or the District) respectfully requests a review of a Universal Service Administrative Company (USAC) decision to deny funding to Phoenix for funding year 2018.³ USAC erred in finding that Phoenix's competitive bidding process was compromised because Phoenix's request for proposals mentioned a specific service provider.

Phoenix's consultant inadvertently included the name of the District's current service provider in a list of locations for service contained in its Request for Proposal (RFP) for Internet access services and the data transmission circuits connecting school sites (wide area network or WAN). This inclusion was solely for the purpose of accurately identifying the *locations* for which Phoenix was seeking service, not for purposes of describing the *services* Phoenix sought.

¹ 47 C.F.R. § 54.719(b), (c); 47 C.F.R. § 54.722(a).

² BEN 142894.

³ The FCC Form 471 number is 181022728. The FRNs are 1899040623 and 1899040631.

It is clear from the FCC Form 470 and the rest of the RFP that the District intended to accept bids from all service providers, and it certainly was in the District's interest to do so.

Furthermore, the provider that Phoenix selected had previously submitted both the cheapest (by far) and the most cost-effective bid when the state of Arizona solicited bids for its state master contract. It is therefore unlikely that Phoenix would have received a more cost-effective bid even if it had not included its current service provider's name in the RFP.

Accordingly, Phoenix respectfully asks that the Bureau reverse USAC's decision.

If the Bureau nonetheless agrees with USAC that Phoenix violated the competitive bidding rules, Phoenix respectfully requests a waiver of those rules. It would be contrary to the public interest to deny more than \$600,000 in E-rate funding simply because the school's consultant made an inadvertent error that did not result in any harm to the competitive bidding process or the universal service fund.

TABLE OF CONTENTS

I.	BACKGROUND	4
II.	PHOENIX SPECIFICALLY SOUGHT MULTIPLE VENDORS TO SUBMIT BIDS FOR WAN AND INTERNET ACCESS SERVICES	6
III.	IN THE ALTERNATIVE, A WAIVER OF THE COMMISSION’S RULES IS IN THE PUBLIC INTEREST	10
IV.	CONCLUSION.....	12

I. BACKGROUND

Phoenix Elementary School District 1 is located in Phoenix, Arizona and was the first free public school district in Arizona. The District's 14 schools in central Phoenix serve more than 6,500 students. Because most of the District's students are economically disadvantaged, the District's discount rate is 90 percent.

On February 1, 2018, Phoenix posted its FCC Form 470 seeking bids for category 1 services for funding year 2018.⁴ On the same day, Phoenix also issued an RFP and left the competitive bidding open for the required 28 days.⁵ The District's consultant, YCESA, prepared both of these documents.

In its competitive bidding documents, Phoenix sought bids for Internet access and WAN services. Phoenix's Form 470 did not specify any service provider by name and specifically noted that "all bids submitted will be carefully considered" by Phoenix.⁶ Similarly, the RFP did not specify any service provider by name on the first page where the requested services were listed.⁷ The RFP also noted that "All EMAILED quotes must have entity name in the subject line" and "All VENDORS must include the 470 number and the SPIN Number on the official quote."⁸

On the second page of the RFP, there was a list of the 18 sites where the services would be used as well as their respective addresses.⁹ At the bottom of the second page, the name of its

⁴ Exhibit 1, Phoenix FCC Form 470 (February 1, 2018). The FCC Form 470 and RFP were posted the same day.

⁵ Exhibit 2, Phoenix Request for Proposal (RFP) (February 1, 2018).

⁶ Exhibit 1 at 3.

⁷ Exhibit 2 at 1.

⁸ *Id.*

⁹ *Id.* at 2.

existing service provider—Cox—was included only as a means to describe the location and speed of the current equipment to and from the District’s router.¹⁰

Cox Arizona Telecom, LLC (Cox), the District’s existing provider, was the only vendor to respond to the bid. Phoenix was disappointed that it did not receive additional bids for the Internet access and wide area network services it requested. But Phoenix needed to purchase services for its district and so, Phoenix selected Cox as its service provider.

While Phoenix conducted its own Form 470 competitive bidding process, Phoenix notes that Cox was the top scorer in the competitive bidding process conducted by the state of Arizona in 2015. In that procurement, using FCC Form 470 #426480001240887, the state of Arizona selected multiple vendors for various telecommunications and Internet access services for the five-year state master contract award (effective through 2020).¹¹ Even though it was a multiple award contract, Cox received the most overall points and the most points for price in the state procurement.¹² Cox received 317 of 400 points for pricing while the second-best vendor received only 175 points in the price category.¹³ Cox had proven itself the best value through the state procurement process.

On March 16, 2018, Phoenix filed its FCC Form 471 for funding year 2018.¹⁴ On June 15, 2018, USAC denied Phoenix’s funding request because USAC found that “the FCC Form 470/RFP that you have cited contains a service provider’s name. This is a competitive bidding

¹⁰ *Id.*

¹¹ See State of Arizona FCC Form 470 #426480001240887.

¹² Exhibit 3, State of Arizona Award and Evaluation Document, dated Feb. 6, 2015, retrieved from <https://spo.az.gov/statewide-e-rate-contracts>.

¹³ *Id.*

¹⁴ Exhibit 4, Phoenix FCC Form 471 (Mar. 16, 2018).

violation because it deters other service providers from submitting a bid for services which may be more cost effective and interferes with the fair and open competitive bidding process required by FCC Rules.”¹⁵

On August 14, 2018, Phoenix filed a timely appeal of USAC’s funding commitment decision letter (FCDL). On September 12, 2018, USAC denied Phoenix’s appeal, finding that it had not demonstrated that USAC’s original decision was incorrect.¹⁶ Appeals to the Commission of USAC decisions are due within 60 days.¹⁷ As such, the instant appeal is timely filed.

II. PHOENIX SPECIFICALLY SOUGHT MULTIPLE VENDORS TO SUBMIT BIDS FOR WAN AND INTERNET ACCESS SERVICES

USAC denied Phoenix’s request for funding because USAC claimed that Phoenix expressed a preference for Cox’s Internet access services and that compromised the competitive bidding process. But Phoenix’s bid solicitation documents specifically sought multiple vendors to submit bids for WAN and Internet access services, consistent with Commission rules.

Phoenix’s inadvertent listing of the name of its current service provider in one place in its RFP was a minor mistake that does not violate Commission rules when read in the context of the entire RFP. Phoenix respectfully requests that the Commission consider the entirety of Phoenix’s RFP, recognize that Phoenix was not trying to limit bidding and that a reasonable service provider would not have thought Phoenix only wanted services from Cox, and fund Phoenix’s funding request for FY 2018.

¹⁵ Exhibit 5, USAC Funding Commitment Decision Letter.

¹⁶ Exhibit 6, USAC Revised Funding Commitment Decision Letter (decision on appeal).

¹⁷ 47 C.F.R. §§ 54.719(a), 54.720(b).

In the *Queen of Peace Order*, the Bureau granted an appeal after finding that the “competitive bidding process was not compromised by its inclusion of a service provider name on its FCC Form 470.”¹⁸ The Bureau described the balance between ensuring a fair competitive bidding process and giving vendors sufficient information to develop responsive bids.¹⁹ The Bureau recognized that identifying a specific vendor or brand could potentially compromise the competitive bidding process, because “[a]n interested bidder could possibly conclude . . . that the applicant has pre-selected the named service provider or that the service provider would be given some sort of preference in the bidding process, and therefore decline to bid on the requested services.”²⁰ In order to mitigate the risk of harm to the competitive bidding process, the Bureau clarified that “applicants must not include the manufacturer’s name or brand on their FCC Form 470 or in their RFPs unless they also use the words “or equivalent” to describe the requested product or service.”²¹ The *Queen of Peace Order* primarily addressed internal connections, as that was typically the context in which applicants requested specific manufacturers and brands.²²

USAC’s denial of funding is at odds with the *Queen of Peace Order*. Phoenix specifically stated in its Form 470 that “all bids submitted will be carefully considered.”²³ While the Commission suggested that applicants use the phrase “or equivalent” when seeking a particular brand of equipment, here Phoenix stating that “all bids will be carefully considered”

¹⁸ *Request for Review of a Decision of the Universal Service Administrator by Queen of Peace High School*, CC Docket No. 02-6, Order, 26 FCC Rcd 16466 ¶ 1 (Wireline Comp. Bur. 2011) (*Queen of Peace Order*).

¹⁹ *Id.* ¶ 6.

²⁰ *Id.*

²¹ *Id.* ¶ 8.

²² *Id.* The Bureau gave the following example: “an applicant may indicate that it is requesting bids for ‘XYZ manufacturer’s high-speed router model 345J or equivalent.’” *Id.*

²³ Exhibit 1 at 3.

serves the same exact purpose—to let potential bidders know that the applicant has not already pre-determined the result of its competitive bidding process. Even if it were trying to express a preference for Cox, which it was not, Phoenix would not have used the phrase “or equivalent” because there is no “equivalent” to a Category 1 recurring WAN and Internet access service. Also, even though it is after the fact, the Commission can rely on the fact that Phoenix chose other vendors (CenturyLink and Verizon) for its other E-rate eligible services. If Phoenix wanted to give preference to Cox over other vendors, it could have selected it for all of its E-rate services, not just broadband.

The RFP also noted that “All EMAILED quotes must have entity name in the subject line” and “All VENDORS must include the 470 number and the SPIN Number on the official quote.”²⁴ In addition, the RFP did not specify any service provider by name on the first page where the requested services were listed.²⁵ Those requirements clearly would indicate to any interested bidder that Phoenix wanted bids from any vendor and was not limiting bids to any particular vendor. Based on these statements, a reasonable vendor would conclude that Phoenix was soliciting bids from all vendors, and, at a minimum, could have easily asked questions if it was confused about Phoenix’s RFP.

The *Queen of Peace Order* specifically directs applicants to “describe the requested services with sufficient specificity to enable potential service providers to submit bids for such services.”²⁶ When it accidentally included Cox’s name as Phoenix’s current service provider in the RFP, Phoenix’s consultant was actually trying to describe the requested services with

²⁴ *Id.*

²⁵ See Exhibit 2 at 1.

²⁶ *Queen of Peace Order* ¶ 2 (citing *Federal-State Joint Board on Universal Service*, CC Docket No.96-45, Report and Order, 12 FCC Rcd 8776, 9078-79 ¶ 575 (1997) (*Universal Service First Report and Order*) (subsequent history omitted); see also 47 C.F.R. §§ 54.503(c)).

sufficient specificity to enable potential service providers to submit bids for such services, consistent with the *Queen of Peace Order*. At the bottom of the RFP, the location and orientation of the services was noted so that vendors would have all the information they needed in order to correctly quote the service. There were three separate connections that were described at the bottom of the RFP. The RFP was trying to clarify the location and orientation of the District's current service provider's equipment in relation to the District's main distribution facility (MDF). In order to connect to all District sites and connect to the Internet, the router housed by the service provider in the District's MDF must connect to the District's main router.

Although Phoenix's consultant inadvertently listed the name of the service provider in the RFP, the intention was to indicate that the connection needed to go from the service provider's point of presence to the District's router. Phoenix acknowledges that the description of the MDF in the RFP submitted by Phoenix ideally would have stated "District router to service provider equipment" and "Service provider equipment to District router" instead of "Cox equipment to district's router" and "District's router to Cox equipment." This language, however, merely served to describe the location and orientation of the services requested and was not contained in the body of the requested services itself. The description should not have led any service provider to believe that the District only wanted to use Cox as its service provider.

Further, *Queen of Peace's* remedy—adding the language "or equivalent"—is not applicable here. Phoenix did not list a specific Cox service or brand for its WAN and Internet access services, but simply alluded to "Cox equipment" as a way of describing a location for which service was being sought. Similarly, there is no manufacturer named in the RFP that would limit the services being sought.

Therefore, USAC's denial of funding is not consistent with Commission rules or precedent and is inconsistent with the *Queen of Peace Order*. Phoenix thus respectfully requests that the Bureau reverse USAC's decision.

III. IN THE ALTERNATIVE, A WAIVER OF THE COMMISSION'S RULES IS IN THE PUBLIC INTEREST

As explained above, Phoenix complied with the Commission's competitive bidding rules and with the requirements of the *Queen of Peace Order*. If, however, the Bureau agrees with USAC that Phoenix violated the competitive bidding rules, Phoenix respectfully requests a waiver of those rules to the extent necessary to award Phoenix the funding it has requested.

Any of the Commission's rules may be waived if good cause is shown.²⁷ The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.²⁸ In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.²⁹

In this case, a waiver is appropriate because Phoenix's mistake almost certainly caused no harm to the competitive bidding process. While it is true that Cox was the only bidder on Phoenix's RFP, Cox was also the cheapest and most cost effective of 13 bids submitted for Arizona's state master contract for broadband and telecommunications. Cox was awarded the most points overall and the most points for price by the State of Arizona when the state established its five-year state contract for E-rate purposes in 2015. Accordingly, notwithstanding

²⁷ 47 C.F.R. § 1.3.

²⁸ *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

²⁹ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

the absence of competing bids in its own competitive bidding process, Phoenix almost certainly selected the least expensive vendor available for the services.

The Commission has routinely waived the competitive bidding rules when the applicant has selected the lowest-cost bidder.³⁰ Here, Phoenix selected the provider that received the most overall points and the most points for price in the bidding process for the Arizona state master contract. The State of Arizona had found that Cox offered the best price, by far, of 13 bidders, and also was the most cost-effective bidder.³¹ Accordingly, even if there had been a violation of the competitive bidding rules (which, as we have explained, there was not), we believe there was no harm to the competitive bidding process.

The Commission has granted appeals and waived its rules in the past when it determined a minor mistake did not warrant the complete rejection of any application. For example, when applicants did not get contracts signed in a timely manner, the Commission found that the mistakes “did not warrant the complete rejection of these Petitioners’ applications for E-rate funding. Importantly, these appeals do not involve a misuse of funds.”³² Here, Phoenix explicitly stated in its RFP that “all bids” and “all vendors” would be considered. The fact that Phoenix mentioned its incumbent provider merely as a means of identifying the location of the requested services does not undermine the expansive and inclusionary language that appears

³⁰ See, e.g., *Request for Review of Decisions of the Universal Service Administrator by Allendale County School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 6109 (Wireline Comp. Bur. 2011) (*Allendale Order*) (finding that a waiver of the Commission’s competitive bidding rules was in the public interest where the petitioners selected the least expensive responsive service offering).

³¹ We are unable to compare the pricing evaluated in the state master contract to Phoenix’s specific services as the state master contract evaluation does not describe the sample bid scenarios in that much detail. However, it is clear that Cox overall was the best vendor in the state evaluation.

³² *Request for Review of a Decision of the Universal Service Administrator by Adams County School District 14*, CC Docket No. 02-6, Order, 22 FCC Rcd 6019 ¶ 10 (2007).

elsewhere in its RFP, and it should not result in the denial of \$609,240.74 in E-rate funding. It would be contrary to the public interest to deny E-rate funding under these circumstances.

IV. CONCLUSION

For the foregoing reasons, Phoenix respectfully asks that the Bureau waive the Commission's competitive bidding rules and any other rules to the extent necessary to grant the requested relief.

Respectfully submitted,

/s/ Gina Spade

Gina Spade
Broadband Legal Strategies
1629 K Street, NW Suite 300
Washington, DC 20006
DC Bar # 452207
gina@broadbandlegal.com
202-907-6252

Counsel for Phoenix Elementary School District 1

November 7, 2018

CERTIFICATE OF SERVICE

This is to certify that on this 7th day of November 2018, a true and correct copy of the foregoing Request for Review and/or Waiver was sent via email to:

SLD, Universal Service Administrative Company, Appeals@usac.org

/s/ Theresa Schrader

Theresa Schrader

ATTACHMENTS

Affidavit of Paul Chase

Exhibit 1 Phoenix FCC Form 470

Exhibit 2 Phoenix Request for Proposal

Exhibit 3 State of Arizona Award and Evaluation Document

Exhibit 4 Phoenix FCC Form 471

Exhibit 5 USAC Funding Commitment Decision Letter

Exhibit 6 USAC Revised Funding Commitment Decision Letter (decision on appeal)

Affidavit of Paul Chase

STATE OF ARIZONA)

) SS

COUNTY OF Maricopa)

I, Paul Chase, swear:

1. That I am Director of MIS for Phoenix Elementary School District 1. I was hired by the district for the position of dataset administrator on August 20, 2001. I was promoted to the position of Director of MIS on July 1, 2005.
2. That I have read the foregoing appeal and avow the information stated therein is true and correct to the best of my knowledge and belief.

Further Affiant Sayeth Not.



Paul Chase
Director of MIS
Phoenix Elementary School District 1
1817 N 7th St
Phoenix, AZ 85006-2133

VERIFICATION

STATE OF ARIZONA)
) SS
COUNTY OF Maricopa)

COMES NOW, Paul Chase, and being first duly sworn upon my oath, state that I have read the foregoing Affidavit, and that the facts contained therein are true and correct to the best of my knowledge, information and belief, and that I sign the same as my free act and deed.

Paul Chase
Paul Chase

On this 6th day of November, 2018, before me, a Notary Public in and for said state, personally appeared Paul Chase, known to me to be the person who executed the within Affidavit, and acknowledged to me that he executed the same for the purposes therein stated and that he executed the same as his free act and deed.

Frances T. Rivas
Notary Public

My Commission Expires: 11/31/2020



FRANCES T. RIVAS
Notary Public - Arizona
Maricopa County
Expires 01/31/2020

Exhibit 1



FCC Form 470 – Funding Year 2018

Form 470 Application Number: 180020383

470_PHX ELEM_CAT 1_2018-19

Billed Entity

PHOENIX ELEM SCHOOL DISTRICT 1
1817 N 7TH ST
PHOENIX, MARICOPA, AZ 85006-2133
602-257-3790

Contact Information

Kelly Dwyer
kelly.dwyer@yavapai.us
928-925-7668

Billed Entity Number: 142894

FCC Registration Number: 0012185690

Application Type

Applicant Type: School District

Recipients of Services: Public School; Public School District

Number of Eligible Entities: 16

Consulting Firms

Name	Consultant Registration Number	Phone Number	Email
Yavapai County Educational Service Agency	16071819	928-649-6298	erate@yavapai.us

Consultants

Name	Phone Number	Email
Frank Vander Horst	928-649-6298	frank.vander.horst@yavapai.us
Kelly Dwyer	928-925-7668	kelly.dwyer@yavapai.us

RFPs

Id	Name
49154	SUPPORTING DOCUMENTS - CAT 1 - RFP

Category One Service Requests

Service Type	Function	Other	Minimum Capacity	Maximum Capacity	Entities	Quantity	Unit	Installation and Initial Configuration?	Maintenance and Technical Support?	Associated RFPs
Internet Access and/or Telecommunications	Cellular Voice				18	110	Lines	Yes	Yes	49154
Internet Access and/or Telecommunications	Voice Service (Analog, Digital, Interconnected VOIP, etc.)	1			18	3	Users	Yes	Yes	49154
Internet Access and/or Telecommunications	Voice Service (Analog, Digital, Interconnected VOIP, etc.)	2			18	43	Users	Yes	Yes	49154
Internet Access and/or Telecommunications	Voice Service (Analog, Digital, Interconnected VOIP, etc.)	3			18	4000	Users	Yes	Yes	49154
Internet Access and/or Telecommunications	Leased Lit Fiber	4	2 Gbps	10 Gbps	18	1	Circuits	Yes	Yes	49154
Internet Access and/or Telecommunications	Leased Lit Fiber	5	1 Gbps	25 Gbps	18	18	Circuits	Yes	Yes	49154

Description of Other Functions

Id	Name
1	PRI
2	POTS
3	LONG DISTANCE
4	INTERNET ACCESS
5	WAN

Narrative

***ALL SERVICE PROVIDERS/ BIDDERS MUST HAVE A VALID STATE MASTER CONTRACT, other approved cooperative purchasing contract, or compliant consortium procured contract for any procurement in excess of \$100,000.00. ***

SEE ATTACHED DOCUMENT FOR MORE DETAILS

** All VENDORS must be willing to offer both SPI and BEAR invoicing**

All EMAILED quotes must have entity name in the subject line

All VENDORS must include the 470 number and the SPIN Number on the official quote

Category Two Service Requests

Service Type	Function	Manufacturer	Other	Entities	Quantity	Unit	Installation and Initial Configuration?	Associated RFPs
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Description of Other Manufacturers

Id	Name
-----------	-------------

Narrative

Technical Contact

PAUL CHASE

Director of MIS

602-257-3790

paul.chase@phxschools.org

State and Local Procurement Restrictions

THIS PROCUREMENT IS NOT A FORMAL SEALED BID/RFP PROCESS. There are no state or local restrictions or regulations on how service providers can contact the District's technology or business manager. Arizona State Procurement Code requires a formal sealed bidding process; or purchasing from a State Master Contract, other approved cooperative purchasing contract, or compliant consortium procured contract for any procurement in excess of \$100,000.00. Any quote/proposal whose total value exceeds \$100,000.00 and is not linked to a current State Master Contract, other approved cooperative purchasing contract, or a compliant consortium procured contract will be disqualified by Arizona State Procurement Code. Any quote/proposal submitted that does not specifically address the services requested, is generic in nature or otherwise does not meet the requirements contained in this Form 470 and associated specifications may be considered non-responsive and may be disqualified. All original contracts offered that are less than a 60 month term should include specifications that allow for annual one year extensions and/or month to month extensions at the discretion of the applicant; not to exceed a total of 60 months. Please quote all eligible and ineligible products/services separately. Any pricing proposed must comply with the FCC Lowest Corresponding Price Rule as required by the Universal Service First Report and Order, and restated in the FCC E-Rate Modernization Report and Order, adopted July 11, 2014. The FCC Lowest Corresponding Price rule prohibits an E-rate services offeror from offering or charging E-rate applicants a price higher than the lowest price that the offeror charges to non-residential customers who are similarly situated to a particular school, library, rural health care provider or consortium that purchase directly from the offeror.

Recipients of Service

Billed Entity Number	Billed Entity Name
142894	PHOENIX ELEM SCHOOL DISTRICT 1

Certifications

I certify that the applicant includes:

I certify that the applicant includes schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801 (18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.

Other Certifications

I certify that this FCC Form 470 and any applicable RFP will be available for review by potential bidders for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology goals.

I certify that I have reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form may be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this form have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs. I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

NOTICE:

In accordance with Section 54.503 of the Federal Communications Commission's ("Commission") rules, certain schools and libraries ordering services that are eligible for and seeking universal service discounts must file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.503. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.503. Schools and libraries must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information requested in this form. We will use the information you provide to determine whether you have complied with the competitive bidding requirements applicable to requests for universal service discounts. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, the information you provide in this form may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information you provide in this form may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form, or in response to subsequent inquiries, may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide in this form may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC or Universal Service Administrator may return your form without action or deny a related request for universal service discounts.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 3.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.

Authorized Person

Kelly Dwyer
Yavapai County Educational Service Agency
2970 Centerpointe Drive East
Prescott, Yavapai, AZ 86301
928-925-7668
kelly.dwyer@yavapai.us

Certified Timestamp

02/01/2018 04:32 PM EST

Exhibit 2

CATEGORY 1



*****ALL SERVICE PROVIDERS/ BIDDERS MUST HAVE A VALID STATE MASTER CONTRACT, other approved cooperative purchasing contract, or compliant consortium procured contract for any procurement in excess of \$100,000.00. *****

**** All VENDORS must be willing to offer both SPI and BEAR invoicing****

****All VENDORS must include the Form 470 and SPIN Number on the official quote****

****All EMAILED quotes must have entity name in the subject line****

CATEGORY	RANGE IN GBPS	LOCATIONS	SPECIFICATIONS	QTY
CELLULAR VOICE	N/A	ALL (18)	Free nights and weekends, 400 plan minutes/month, quote must separate eligible from ineligible costs.	110
VOICE SERVICES - PRI	N/A	ALL (18)	PRIs	3
VOICE SERVICES - POTS	N/A	ALL (18)	POTS Lines for entire District	43
VOICE SERVICES - LONG DISTANCE	N/A	ALL (18)	4000 minutes per month	4000 minutes
INTERNET ACCESS - LEASED LIT - I/A	2 to 10	DISTRICT HUB	To include ISP Service. Quotes to include pricing in increments of 1 GBPS. Else, provide incremental pricing as available. Contracts must allow upgrades to contracted bandwidths within the contract terms.	1
LEASED LIT - WAN	1 to 25	ALL (18)	WAN. QUOTE for 2 different speeds... 1 to 5 GBPS to 14 locations (quote to include pricing in increments of 1 GBPS) and 20 to 25 GBPS to District hub (quote to include pricing in increments of 5 GBPS). Contracts must allow upgrades to contracted bandwidths within the contract terms.	18

*****SEE PAGE 2 FOR LOCATIONS**

	Site	Bandwidth	Address
1	Bethune	1 Gbps – 5 Gbps	1310 South 15 th Ave. Phoenix, AZ 85007
2	Capitol	1 Gbps – 5 Gbps	330 N. 16 th Ave. Phoenix, AZ 85007
3	Dunbar	1 Gbps – 5 Gbps	707 West Grant Street Phoenix, AZ 85007
4	Edison	1 Gbps – 5 Gbps	804 North 18 th Street Phoenix, AZ 85006
5	Emerson	1 Gbps – 5 Gbps	915 East Palm Lane Phoenix, AZ 85006
6	Emerson Court - District	1 Gbps – 5 Gbps	1817 N. 7 th Street Phoenix, AZ 85006
7	Faith North Early Childhood Learning Center	1 Gbps – 5 Gbps	910 East Washington Phoenix, AZ 85034
8	Garfield	1 Gbps – 5 Gbps	811 North 13 th Street Phoenix, AZ 85006
9	Heard	1 Gbps – 5 Gbps	2301 West Thomas Road Phoenix AZ 85015
10	Herrera	1 Gbps – 5 Gbps	1350 South 11 th Street Phoenix, AZ 85015
11	Kenilworth	1 Gbps – 5 Gbps	1210 North 5 th Avenue Phoenix, AZ 85003
12	Lowell	1 Gbps – 5 Gbps	1121 South 3 rd Avenue Phoenix, AZ 85003
13	Magnet	1 Gbps – 5 Gbps	2602 North 23 rd Avenue Phoenix, AZ 85009
14	Monterey Park	1 Gbps – 5 Gbps	2301 North 3 rd Street Phoenix, AZ 85004
15	Shaw Montessori	1 Gbps – 5 Gbps	123 North 13 th Street Phoenix, AZ 85034
16	Transportation / Plant Services	1 Gbps – 5 Gbps	120 East Grant Street Phoenix, AZ 85004
17	Transportation / Bld. across the street	1 Gbps – 5 Gbps	90 East Grant Street Phoenix, AZ 85004
18	Whittier	1 Gbps – 5 Gbps	2000 North 16 th Street Phoenix, AZ 85006

Cox equipment to district's router	10 Gbps – 25 Gbps	1817 N. 7 th Street Phoenix, AZ 85006
District's router to Cox equipment	10 Gbps – 25 Gbps	1817 N. 7 th Street Phoenix, AZ 85006
Connection to the Internet	3 Gbps – 10 Gbps	1817 N. 7 th Street Phoenix, AZ 85006

Exhibit 3



Douglas A. Ducey
Governor

Kathy Peckardt
Director


ARIZONA DEPARTMENT OF ADMINISTRATION

STATE PROCUREMENT OFFICE

100 NORTH FIFTEENTH AVENUE • SUITE 201
PHOENIX, ARIZONA 85007

(602) 542-5511 (main) (602) 542-5508 (fax)
<http://spo.az.gov>

TO: Solicitation File

FROM: Charlotte Righetti, CPPB, CTNS, Sr. Procurement Officer 

DATE: February 6 2015

SUBJECT: Executive Summary of RFP ADSP014-00004241, Carrier and Broadband Provider Services

This Request for Proposal (RFP) commenced under the Revised Arizona Procurement Code. Revised Arizona Statute § 41-2534, Competitive Sealed Proposal followed, including R2-7-C301 (Solicitation), R2-7-C302 (Pre-Offer Conference), R2-7-C306 (Receipt, Opening, and Recording of Offers), R2-7-C312 (Responsibility Determinations), R2-7-C313 Clarification of Offers, R2-7-C316 (Evaluation), R2-7-C315 (Final Proposal Revisions), R2-7-C316 (Evaluation of Offers) and R2-7-C317 (Contract Award).

TIMELINE

Solicitation ADSP014-00004241 was conducted pursuant to A.R.S. § 41-2534 and implementing rules. The State Procurement Office issued the solicitation on August 29, 2014, sending letters of intent to five hundred and fifty-four (554) Vendors through ProcureAZ. The RFP was approved to advertise on September 2, 2014. A pre-offer-conference was held on September 9, 2014 at the State Procurement Office, fifteen (15) Vendors attended. Thirteen (13) proposals were received electronically via ProcureAZ on or before 3:00:59 PM, October 29, 2014 from the following Offerors:

AT&T Corp
CenturyLink d/b/a Qwest Communications Corp
CopperNet Systems Inc.
Cox Arizona Telcom, LLC
Frontier
Integra Telecom Holdings, Inc.
Jive Communications Inc
Mercury Voice & Data, LLC d/b/a Suddenlink Communications
Mr. Radio of Arizona Inc.
Nextiva Inc (Quote #29831)
Nextiva Inc (Quote #29902)
Trans-West Network Solutions
TW Telecom Holdings Inc.

EVALUATION PROCESS

1. Determinations of not susceptible for award was completed on October 31, 2014 and presented to the Solicitation File.
2. The evaluation team consisted of three (3) evaluators. The first evaluation meeting was held on November 3, 2014. At this meeting evaluators received electronic copies of each proposal submitted as well as Evaluator Instructions. Procurement Disclosure Statements had been signed prior to this meeting in accordance with Significant Procurement Role A.R.S. §41-741 and §41-2503. The signed disclosures were placed within the Solicitation File.
3. The second evaluation meeting was held on November 13, 2014, consensus scoring started.
4. The third evaluation meeting was held on November 14, 2014, consensus scoring was completed for all offers.

Based on this this initial consensus scoring the committee determined the need for clarifications from the following: AT&T, Cox, CenturyLink, Frontier, Suddenlink, Trans-West and TW Telecom.

5. The fourth evaluation meeting was held on November 26, 2014. At this meeting clarification questions were discussed with the committee members. 1st round of request for clarifications were emailed November 28, 2014 to the seven (7) Vendors who the committee had previously determined needed further clarification. All seven Vendors responded in a timely manner on or before the due date of December 4, 2014.
6. A second round of clarifications went out to the following vendors via e-mail on December 3, 2014: AT&T, Cox, CenturyLink, Frontier and Integra. All five (5) Vendors responded in a timely manner on or before the due date of December 10, 2014.
7. Written determination of confidential information was completed December 9, 2014 and presented to the Solicitation file.
8. A fifth evaluation meeting was held on December 18, 2014. This meeting resulted in the evaluation team agreeing that the following vendors were susceptible to move to the next state of the evaluation process, Negotiations: AT&T, Cox, CenturyLink, Frontier, Integra, Jive, Suddenlink, Trans-West, and TW Telecom.
9. Negotiation letters were sent out via e-mail on January 2, 2015 to the following Vendors: AT&T, Cox, CenturyLink, Frontier, Integra, Jive, Suddenlink, Trans-West and TW Telecom. The letter addressed key areas that Offerors could improve on as well as stated exceptions. All responses were received in a timely manner on or before the due date of January 16, 2015.
10. Verbal discussions were held between January 20th and February 2, 2015. With all Offerors who received negotiation letters. During these verbal discussions the State addressed exceptions and ICB pricing within Attachment II pricing structures.
11. On January 23, 2015 research was conducted to confirm that the potential awarded Offerors were not excluded from providing services.
12. In accordance with A.A.C. R2-7-C315, on February 2, 2015 a written request was sent to the nine (9) Vendors who confirmed negotiations and a final proposal revision opportunity was created in ProcureAZ. Final Proposal Revisions were due on February 4, 2015 at 5:00 P.M. All three (3) proposal revisions were received in a timely fashion on or before August 21, 2014.
13. The fifth and final evaluation meeting was held on February 5, 2015, recommendations for award was completed at this meeting.

SCORING TABULATION

The committee evaluated the proposals on a 1000 point scale. Cost scores were determined on a relative scale. Upon initial evaluation of the Offers received, the following scores were assigned:

	Cost	Method of Approach	Capacity of Offeror	Total
Points Possible	400	350	250	1000
AT&T Corp	35	146	138	318
Cox	327	234	225	786
CTL (CenturyLink)	186	234	150	570
Frontier	171	234	150	555
Integra	182	263	150	595
Jive	16	263	125	404
Suddenlink	48	263	113	424
Trans-West	52	234	200	486
TW Telecom	125	234	125	484

The following scoring is the result of the evaluation of final proposal revisions:

	Cost	Method of Approach	Capacity of Offeror	Total
Points Possible	400	350	250	1000
AT&T Corp	35	263	150	447
Cox	317	292	225	834
CTL (CenturyLink)	181	263	150	594
Frontier	165	263	150	607
Integra	175	292	150	617
Jive	16	263	125	404
Suddenlink	46	292	125	463
Trans-West	49	263	200	512
TW Telecom	118	321	125	564

CONTRACT AWARD / DETERMINATION

In accordance with the Solicitations Uniform Instructions, Section 6 Award, it has been determined that it is most advantageous to the State to make multiple awards, based on the analysis of usage data and anticipated use of the awarded contracts.

Based on the information provided and consensus from the Evaluation Committee, the recommendations for award of solicitation ADSPO14-00004241, shall be in accordance with A.R.S. § 41-2534 and R2-7-C317. Awards shall be made to the following:

AT&T Corp
Cox Arizona Telcom, LLC
CenturyLink d/b/a Qwest Communications Corp
Frontier
Integra Telecom Holdings, Inc.
Jive Communications Inc
Mercury Voice & Data, LLC d/b/a Suddenlink Communications
Trans-West Network Solutions
TW Telecom Holdings Inc.

Douglas A. Ducey
Governor



Kathy Peckardt
Interim Director

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The members of the evaluation committee have completed their review of proposals and any subsequent best and final offers received in response to Solicitation No. **ADSP014-00004241, for Carrier and Broadband Provider Services** and have reached consensus. Based on the detailed evaluation of the individual proposals, it would be in the best interest of the State to award contracts to the following:

AT&T Corp.
CenturyLink d/b/a Qwest Communications Corp
Cox Arizona Telcom, LLC
Frontier
Integra Telecom Holdings, Inc.
Jive Communications Inc.
Mercury Voice & Data, LLC d/b/a Suddenlink Communication
Trans-West Network Solutions
TW Telecom Holdings

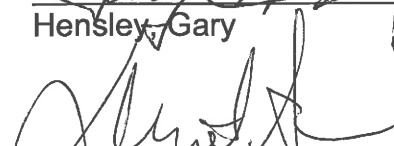
As a participating member of the evaluation committee, I agree with the information provided in the attached document and concur that the consensus scoring is a complete and accurate reflection of the committee's agreement regarding the evaluation of the proposals received.


Grimm, Sally

2-5-15
Date


Hensley, Gary

2/5/15
Date


Sherman, Michael

2-5-15
Date

		Offerors																																			
		AT&T Corp				Cox Arizona Telcom, LLC				CenturyLink d/b/a Qwest Communications Corp				Frontier				Integra Telecom Holdings, Inc.				Jive Communications Inc.				Mercury Voice & Data, LLC d/b/a Suddenlink Communications				Trans-West Network Solutions				TW Telecom Holdings			
Total Score		447				834				594				607				617				404				463				512				564			
		35				317				181				165				175				16				46				49				118			
36.4	Scenarios																																				
	Scenario 1, Analog Line		no bid	0.0	\$	16.75	36.4	\$	59.93	10	\$	31.82	19.2		no bid	0.0		no bid	0.0	\$	72.90	8	\$	295.00	2.1		no bid	0.0		no bid	0.0		0.0				
	Scenario 2, Metro Ethernet		no bid	0.0	\$	501.00	35.6	\$	489.72	36	\$	1,429.00	12.5	\$	1,002.30	17.8		no bid	0.0		no bid	0.0		no bid	0.0	\$	938.38	19.0		no bid	0.0		0.0				
	Scenario 3, MPLS or Equivalent	\$	698.20	31.4	\$	602.00	36.4	\$	1,550.78	14	\$	929.00	23.6	\$	1,003.40	21.8	\$	1,401.10	15.6		no bid	0.0		no bid	0.0	\$	1,131.40	19.4		no bid	0.0		0.0				
	Scenario 4, PBX ALI		no bid	0.0		No charge	36.4	\$	1,305.20	0	\$	1,075.00	0.0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		0.0				
	Scenario 5, MPLS with Ethernet Port Service or Equivalent		no bid	0.0	\$	2,015.00	36.4	\$	5,106.57	14	\$	3,512.00	20.9		no bid	0.0		no bid	0.0	\$	2,450.00	30	\$	25,700.00	2.9	\$	2,303.40	31.8		no bid	0.0		0.0				
	Scenario 6, Stand Alone Internet Access Service		no bid	0.0	\$	194.00	36.4	\$	637.00	11	\$	239.98	29.4		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0	\$	6,889.75	19.1		no bid	0.0		0.0				
	Scenario 7, High Speed Internet Access Service		no bid	0.0	\$	4,855.00	27.1	\$	9,239.53	14	\$	8,781.00	15.0	\$	3,612.50	36.4		no bid	0.0	\$	17,500.00	8	\$	13,200.00	10.0	\$	6,889.75	19.1		no bid	0.0		0.0				
	Scenario 8, Managed WiFi Access-Point Service	\$	5,607.32	3.1	\$	483.00	36.4	\$	719.07	24	\$	3,437.99	5.1	\$	5,149.90	3.4		no bid	0.0		no bid	0.0		no bid	0.0	\$	1,060.00	28.8		no bid	0.0		0.0				
	Scenario 9, PRI		no bid	0.0	\$	840.00	36.4	\$	1,395.00	22	\$	1,954.42	15.6		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0	\$	1,060.00	28.8		no bid	0.0		0.0				
	Scenario 10, Fiber Lease Service		no bid	0.0		ICB	0.0		ICB	0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		0.0				
	Scenario 11, Regional Transport Network		no bid	0.0		no bid	0.0	\$	30,925.14	34	\$	45,000.00	23.7	\$	29,250.00	36.4		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		no bid	0.0		0.0				
350	Method of Approach			263				292			263			292			263			292			263			321											
59	2.1 E-Rate SPIN #		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		59				
	Comments		Provided spin #			Provided Spin			Provided Spin #			Provided Spin #			Provided Spin #			Provided Spin #			Provided Spin #			Provided Spin #			Provided Spin #			Provided Spin #			59				
58	2.2 Categories to be offered by County.		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		58				
	Comments		Multiple Categories offered within multiple counties.			Multiple Categories offered within multiple counties.			Multiple Categories offered within multiple counties.			Multiple Categories offered within multiple counties.			Multiple Categories offered within multiple counties.			Multiple Categories offered within multiple counties.			Multiple Categories offered within multiple counties.			Categories 1-4 in all Counties			Multiple Categories offered within multiple counties.			Multiple Categories offered within multiple counties.			58				
58	2.3 Excluded Cities Serviced by County.		Exceeds Expectations	58		Meets Expectations	29		Meets Expectations	29		Meets Expectations	29		Meets Expectations	29		Meets Expectations	29		Meets Expectations	29		Meets Expectations	29		Exceeds Expectations	58		Exceeds Expectations	58		58				
	Comments		Through Clarifications AT&T confirmed they have no exclusions within the counties they are providing services in category 1-4 within.			Exclusions in Cochise, Maricopa, Pima and Pinal Counties			Exclusions found in all Counties.			Exclusions in Apache, Coconino and LaPaz.			Exclusions found in all offered counties			Exclusions for Category 1 offerings in multiple counties.			Exclusions found within Coconino, Gila, La Paz, Mohave, and Yavapai Counties.			Through clarifications TransWest stated that adequate bandwidth is required so that cities are not excluded.			Through Clarifications TW confirmed they have no exclusions within the counties they are providing services.			Through Clarifications TW confirmed they have no exclusions within the counties they are providing services.			58				
59	2.4 Compliance to Requested Services by Category.		Meets Expectations	29.5		Exceeds Expectations	59		Meets Expectations	29.5		Exceeds Expectations	59		Meets Expectations	29.5		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		Exceeds Expectations	59		59				
	Comments		Exceptions listed are acceptable.			Did not take exceptions to service requirements, marked no to this question and submitted exceptions for T&Cs and other portions of the SOW, not the Services.			Exceptions listed are acceptable.			Did not take exceptions to service requirements, marked no to this question and submitted exceptions for T&Cs and other portions of the SOW, not the Services.			Exceptions listed are acceptable.			Marked yes on questionnaire and that was an accurate declaration. Exceptions were submitted within T&Cs and other portions of the SOW, not the Services.			Did not take exceptions to service requirements, marked no to this question and submitted exceptions for T&Cs and other portions of the SOW, not the Services.			No exceptions to services.			Did not take exceptions to service requirements, marked no to this question and submitted exceptions for T&Cs and other portions of the SOW, not the Services.			Did not take exceptions to service requirements, marked no to this question and submitted exceptions for T&Cs and other portions of the SOW, not the Services.			59				
58	2.5 Expanding Geographic Availability		Meets Expectations	29		Exceeds Expectations	58		Meets Expectations	29		Meets Expectations	29		Exceeds Expectations	58		Meets Expectations	29		Exceeds Expectations	58		Meets Expectations	29		Meets Expectations	29		Meets Expectations	29		29				
	Comments		CLEC, No strategy provided.			Through clarifications identified they are a CLEC and listed various companies with established agreements			Through Clarifications CTL confirmed they are an ILEC.			ILEC.			CLEC, with agreements in place with ILECs. No additional strategy provided			Not a CLEC.			CLEC, franchise agreements with sister cable entities. No plans of expanding CLEC activities currently.			Not a CLEC.			CLEC, no strategy given.			CLEC, no strategy given.			29				
58	2.6 Broadband Expansion		Meets Expectations	29		Meets Expectations	29		Exceeds Expectations	58		Exceeds Expectations	58		Exceeds Expectations	58		Meets Expectations	29		Meets Expectations	29		Meets Expectations	29		Exceeds Expectations	58		Exceeds Expectations	58		58				
	Comments		Wishes not to participate.			Wishes not to participate.			Provided detailed plan to increase infrastructure throughout the state included aggregate recommended bandwidth by community in exhibit A. Provided maps through BAFO.			Participating and provided maps through BAFO.			Provided plan with high level of detail and strategies that show vendor's understanding of State's objectives			Wishes not to participate.			Wishes not to participate.			Wishes not to participate.			Provided plan for expansion as well as required maps.			Provided plan for expansion as well as required maps.			58				
250	Capacity of Offeror			150				225			150			150			125			125			200			125											
50	3.1 Overall Company Information		Exceeds Expectations	50		Exceeds Expectations	50		Exceeds Expectations	50		Exceeds Expectations	50		Exceeds Expectations	50		Meets Expectations	25		Meets Expectations	25		Meets Expectations	25		Meets Expectations	25		Meets Expectations	25		25				
	Comments		Detailed information provided by vendor			Vendor provided all requested information in great detail			Provided certifications, all information was given in detail.			Detailed information for their Arizona operations			Detailed company information provided. Extensive key personnel information provided.			Provided requested information.			Provided requested information.			Provided requested information.			Provided requested information.			Provided requested information.			25				
25	3.2 Audited Financials		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		12.5				
	Comments		Provided requested information.			Provided requested information.			Provided requested information.			Provided requested information.			Provided requested information			Provided requested information.			Through Clarifications documents were provided.			Provided requested information.			Provided requested information.			Provided requested information.			12.5				
25	3.3 Subcontracting		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		Meets Expectations	12.5		12.5				
	Comments		Through clarifications AT&T confirms they do not utilize subcontractors, if a subcontractor is required they will obtain approval from the State first.			Utilize 15 subcontractors			Utilize 8 subcontractors.			Frontier statement is that they do not currently utilize subcontractors. If subcontracts are required they will meet the requirements of the T&Cs.			Utilizes 2 subcontractors			Does not employ subcontractors.			Utilize 1 Subcontractor			Utilize 2 Subcontractors			Utilize 15 Subcontractors for providing various portions of requirements of the RFP.			Utilize 15 Subcontractors for providing various portions of requirements of the RFP.			12.5				
150	3.4 Current Customer Base		Meets Expectations	75		Exceeds Expectations	150		Meets Expectations	75		Meets Expectations	75		Meets Expectations	75		Meets Expectations	75		Meets Expectations	75		Exceeds Expectations	150		Meets Expectations	75		Meets Expectations	75		75				
	Comments		Provided 3 references, all are out of state customers requiring services such as: Voice, Data, Ethernet, VoIP, VPN Security, etc.			Provided 4 references, 1 school customer, 1 county customer, 1 state customer and 1 coop customer. Services include: Ethernet, WAN, Internet, Voice ext.			Provided 3 references, one out of state and 2 schools. Services provided include: Ethernet, voice services, Ethernet, etc.			Provided 3 references, 1 out of state customer, 1 county and 1 nation. Services provided include DSL, PRI, POTS, P2P circuits, Ethernet, etc.			Provided 3 references, all three out of state. Provide services such as Dark Fiber, Data Services and Voice Services.			Provided 3 references, all of which were with schools who obtain hosted VoIP services.			Provided 3 references, 2 schools and 1 library. References obtain services such as Internet Access, PRIs, Phone lines, etc.			Provided 6 references all of which were schools obtaining services such as VoIP and Wireless Access Points.			Provided 3 references, One State customer, 1 County customer and 1 out of state customer requesting services such as Internet, PRI's, Ethernet, VPN, etc.			Provided 3 references, One State customer, 1 County customer and 1 out of state customer requesting services such as Internet, PRI's, Ethernet, VPN, etc.			75				

For each of evaluation criteria above, a determination was made regarding how well the proposals satisfied the stated requirements. The rating definitions, found below, formed the basis for determining the scores assigned to each proposal. The comments fields were used to note strengths and weaknesses of the proposal.

Formula for Scoring Cost, Scenarios, Criteria 1	
$\left(\frac{\text{Price}_{lowest}}{\text{Price}_{offered}} \right) \times \text{Points}_{max} = \text{Points}_{awarded}$	
Rating Definitions for Criteria 2 and 3	
Exceeds Expectations	(100% Points)
Meets Expectations	(50% of Points)
Unacceptable	(0 Points)

Exhibit 4



Description of Services Ordered and Certification Form 471

FCC Form 471

Application Information

Nickname 18_PHX ELEM_C1 **Application Number** 181022728
Funding Year 2018 **Category of Service** Category 1

Billed Entity

PHOENIX ELEM SCHOOL DISTRICT 1
1817 N 7TH ST PHOENIX AZ 85006 - 2133
602-257-3790

Contact Information

Kelly Dwyer
928-442-5768
kelly.dwyer@yavapai.us

Billed Entity Number 142894
FCC Registration Number 0012185690
Applicant Type School District

Holiday/Summer Contact Information Kelly Dwyer kelly.dwyer@yavapai.us 928-442-5768

Consulting Firms

Name	Consultant Registration Number	City	State	Zip Code	Phone Number	Email
Yavapai County Educational Service Agency	16071819	COTTONWOOD	AZ	86326	928-649-6298	erate@yavapai.us

Entity Information

School District Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	School District Attributes	Endowment
142894	PHOENIX ELEM SCHOOL DISTRICT 1	Urban	42560	7-04-01-000		Public School District	None

Related Entity Information

Related Child School Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
96988	KENILWORTH ELEMENTARY SCHOOL	Urban				None	Public School	None

BEN	Name	Urban/ Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
96995	LOWELL ELEMENTARY SCHOOL	Urban				None	Public School	None
97010	WHITTIER ELEMENTARY SCHOOL	Urban				None	Public School	None
97012	EMERSON ELEMENTARY SCHOOL	Urban				None	Public School	None
97016	GARFIELD ELEMENTARY SCHOOL	Urban				None	Public School	None
97017	EDISON ELEMENTARY SCHOOL	Urban				None	Public School	None
97020	CAPITOL ELEMENTARY SCHOOL	Urban				None	Public School	None
97021	DUNBAR ELEMENTARY SCHOOL	Urban				None	Public School	None
97022	BETHUNE ELEMENTARY SCHOOL	Urban				None	Public School	None
97039	MAGNET TRADITIONAL SCHOOL	Urban				None	Public School	None
97101	HEARD ELEMENTARY SCHOOL	Urban				None	Public School	None
97289	HERRERA ELEMENTARY SCHOOL	Urban				None	Public School	None
224590	MONTEREY PARK ELEMENTARY SCHOOL	Urban				None	Public School	None
224593	FAITH NORTH ELEMENTARY SCHOOL	Urban				None	Public School	None
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL	Urban				None	Public School	None

Related Child School Entity - Discount Rate Calculation Details

BEN	Name	Urban/ Rural	Number of Students	Students Count Based on Estimate	CEP Percentage
96988	KENILWORTH ELEMENTARY SCHOOL	Urban	606	N/A	
96995	LOWELL ELEMENTARY SCHOOL	Urban	584	N/A	
97010	WHITTIER ELEMENTARY SCHOOL	Urban	495	N/A	
97012	EMERSON ELEMENTARY SCHOOL	Urban	515	N/A	
97016	GARFIELD ELEMENTARY SCHOOL	Urban	735	N/A	
97017	EDISON ELEMENTARY SCHOOL	Urban	667	N/A	
97020	CAPITOL ELEMENTARY SCHOOL	Urban	720	N/A	
97021	DUNBAR ELEMENTARY SCHOOL	Urban	390	N/A	
97022	BETHUNE ELEMENTARY SCHOOL	Urban	518	N/A	
97039	MAGNET TRADITIONAL SCHOOL	Urban	543	N/A	
97101	HEARD ELEMENTARY SCHOOL	Urban	666	N/A	
97289	HERRERA ELEMENTARY SCHOOL	Urban	662	N/A	
224590	MONTEREY PARK ELEMENTARY SCHOOL	Urban	179	N/A	
224593	FAITH NORTH ELEMENTARY SCHOOL	Urban	238	N/A	
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL	Urban	453	N/A	

Related School District NIFs

School District BEN	School District Name	NIF BEN	NIF Name
142894	PHOENIX ELEM SCHOOL DISTRICT 1	16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

Discount Rate

School District Enrollment	School District NSLP Count	School District NSLP Percentage	School District Urban/ Rural Status	Category One Discount Rate	Category Two Discount Rate	Voice Discount Rate
7971	6713	84.0%	Urban	90%	85%	10%

[Funding Request for FRN #1899040623](#)

Funding Request Nickname: COX_INTERNET ACCESS

Service Type: Data Transmission and/or Internet Access

Agreement Information - Contract

Contract Number	ADSPO 15-088473	Account Number	
Establishing FCC Form 470	180020383	Service Provider	Cox Arizona Telcom, LLC (SPN: 143014467)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	Yes
Award Date	March 12, 2018	Based on a multiple award schedule?	No
How many bids were received for this contract?	1	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	June 30, 2023

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative INTERNET ACCESS_COX

Line Item # 1899040623.001

Product and Service Details

Purpose

Function

Type of Connection

Bandwidth Speed

Internet access service that includes a connection from any applicant site directly to the Internet Service Provider

Fiber

Ethernet

Upload Speed

Download Speed

5.0 Gbps

5.0 Gbps

Connection Information

Does this include firewall services?

No

Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)?

No

Is this a direct connection to a single school, library or a NIF for Internet access?

Yes

Cost Calculation for FRN Line Item # 1899040623.001

Monthly Cost		One-Time Cost	
Monthly Recurring Unit Cost	\$7,085.00	One-time Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00	One-time Ineligible Unit Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$7,085.00	One-time Eligible Unit Cost	= \$0.00
Monthly Quantity	x 1	One-time Quantity	x 0
Total Monthly Eligible Recurring Costs	= \$7,085.00	Total Eligible One-time Costs	= \$0.00
Months of Service	x 12	Summary	
Total Eligible Recurring Costs	= \$85,020.00	Total Eligible Recurring Costs	\$85,020.00
		Total Eligible One-time Costs	+ \$0.00
		Pre-Discout Extended Eligible Line Item Cost	= \$85,020.00

Recipients of Services

BEN	Name
16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

FRN Calculation for FRN #1899040623

Monthly Charges	
Total Monthly Recurring Charges	\$7,085.00
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$7,085.00
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$85,020.00

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$85,020.00
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$85,020.00
Discount Rate	90%
Funding Commitment Request	= \$76,518.00

Funding Request for FRN #1899040631

Funding Request Nickname: COX_WAN

Service Type: Data Transmission and/or Internet Access

Agreement Information - Contract

Contract Number	ADSPO 15-088473	Account Number	
Establishing FCC Form 470	180020383	Service Provider	Cox Arizona Telcom, LLC (SPN: 143014467)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	Yes
Award Date	March 12, 2018	Based on a multiple award schedule?	No
How many bids were received for this contract?	1	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	June 30, 2023

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative WAN LINKS FOR DISTRICT AND SCHOOLS

Line Item # 1899040631.001

Product and Service Details

Purpose Data Connection between two or more sites entirely within the applicant’s network

Function Fiber

Type of Connection Ethernet

Bandwidth Speed

Upload Speed 20.0 Gbps Download Speed 20.0 Gbps

Connection Information

Does this include firewall services? No Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)? Yes

Is this a direct connection to a single school, library or a NIF for Internet access? No

Cost Calculation for FRN Line Item # 1899040631.001

Monthly Cost	
Monthly Recurring Unit Cost	\$7,736.70
Monthly Recurring Unit Ineligible Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$7,736.70
Monthly Quantity	x 2
Total Monthly Eligible Recurring Costs	= \$15,473.40
Months of Service	x 12
Total Eligible Recurring Costs	= \$185,680.80

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 0
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$185,680.80
Total Eligible One-time Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$185,680.80

Recipients of Services

BEN	Name
16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

Line Item # 1899040631.002

Product and Service Details

Purpose

Function

Type of Connection

Bandwidth Speed

Upload Speed

Data Connection between two or more sites entirely within the applicant's network

Fiber

Ethernet

2.0 Gbps

2.0 Gbps

Does this include firewall services?

No

Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a "Wide area network")?

Yes

Is this a direct connection to a single school, library or a NIF for Internet access?

No

Cost Calculation for FRN Line Item # 1899040631.002

Monthly Cost		One-Time Cost	
Monthly Recurring Unit Cost	\$1,991.34	One-time Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00	One-time Ineligible Unit Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$1,991.34	One-time Eligible Unit Cost	= \$0.00
Monthly Quantity	x 17	One-time Quantity	x 0
Total Monthly Eligible Recurring Costs	= \$33,852.78	Total Eligible One-time Costs	= \$0.00
Months of Service	x 12	Summary	
Total Eligible Recurring Costs	= \$406,233.36	Total Eligible Recurring Costs	\$406,233.36
		Total Eligible One-time Costs	+ \$0.00
		Pre-Discout Extended Eligible Line Item Cost	= \$406,233.36

Recipients of Services

BEN	Name
96988	KENILWORTH ELEMENTARY SCHOOL
96995	LOWELL ELEMENTARY SCHOOL
97010	WHITTIER ELEMENTARY SCHOOL
97012	EMERSON ELEMENTARY SCHOOL
97016	GARFIELD ELEMENTARY SCHOOL
97017	EDISON ELEMENTARY SCHOOL
97020	CAPITOL ELEMENTARY SCHOOL
97021	DUNBAR ELEMENTARY SCHOOL
97022	BETHUNE ELEMENTARY SCHOOL
97039	MAGNET TRADITIONAL SCHOOL
97101	HEARD ELEMENTARY SCHOOL
97289	HERRERA ELEMENTARY SCHOOL
224590	MONTEREY PARK ELEMENTARY SCHOOL
224593	FAITH NORTH ELEMENTARY SCHOOL
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL
16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

FRN Calculation for FRN #1899040631

Monthly Charges	
Total Monthly Recurring Charges	\$49,326.18
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$49,326.18
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$591,914.16

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$591,914.16
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$591,914.16
Discount Rate	90%
Funding Commitment Request	= \$532,722.74

[Funding Request for FRN #1899040645](#)

Funding Request Nickname: VERIZON_CELLULAR

Service Type: Voice

Agreement Information - Contract

Contract Number

Establishing FCC Form 470 180020383

Was an FCC Form 470 posted for the product and/or services you are requesting? Yes

Award Date March 12, 2018

How many bids were received for this contract? 3

What is the service start date? July 01, 2018

Account Number

Service Provider Verizon Wireless (Cellco Partnership) (SPN: 143000677)

Based on State Master Contract? No

Based on a multiple award schedule? No

Includes Voluntary Extensions? No

Remaining Voluntary Extensions

Total Remaining Contract Length

What is the date your contract expires for the current term of the contract? June 30, 2019

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative

CELLULAR PHONES FOR DISTRICT AND SCHOOLS_VERIZON

Line Item # 1899040645.001

Product and Service Details

Function Voice

Type of Connection Cellular Voice with no Data and/or Text Messaging

Cost Calculation for FRN Line Item # 1899040645.001

Monthly Cost	
Monthly Recurring Unit Cost	\$34.48
Monthly Recurring Unit Ineligible Costs	- \$6.00
Monthly Recurring Unit Eligible Costs	= \$28.48
Monthly Quantity	x 110
Total Monthly Eligible Recurring Costs	= \$3,132.80
Months of Service	x 12
Total Eligible Recurring Costs	= \$37,593.60

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 0
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$37,593.60
Total Eligible One-time Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$37,593.60

Recipients of Services

BEN	Name
96988	KENILWORTH ELEMENTARY SCHOOL
96995	LOWELL ELEMENTARY SCHOOL
97010	WHITTIER ELEMENTARY SCHOOL
97012	EMERSON ELEMENTARY SCHOOL
97016	GARFIELD ELEMENTARY SCHOOL
97017	EDISON ELEMENTARY SCHOOL
97020	CAPITOL ELEMENTARY SCHOOL
97021	DUNBAR ELEMENTARY SCHOOL
97022	BETHUNE ELEMENTARY SCHOOL
97039	MAGNET TRADITIONAL SCHOOL
97101	HEARD ELEMENTARY SCHOOL
97289	HERRERA ELEMENTARY SCHOOL
224590	MONTEREY PARK ELEMENTARY SCHOOL
224593	FAITH NORTH ELEMENTARY SCHOOL
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL
16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

FRN Calculation for FRN #1899040645

Monthly Charges	
Total Monthly Recurring Charges	\$3,792.80
Total Monthly Ineligible Charges	- \$660.00
Total Monthly Eligible Charges	= \$3,132.80
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$37,593.60

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$37,593.60
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$37,593.60
Discount Rate	10%
Funding Commitment Request	= \$3,759.36

Funding Request for FRN #1899040660

Funding Request Nickname: CENTURY LINK_VOICE_PRI'S

Service Type: Voice

Agreement Information - Contract

Contract Number	ADSP015-088468	Account Number	
Establishing FCC Form 470	180020383	Service Provider	CenturyLink Qwest Corporation (SPN: 143005231)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	Yes
Award Date	March 09, 2018	Based on a multiple award schedule?	No
How many bids were received for this contract?	2	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	June 30, 2020

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative PRI_PHONES_CENTURY LINK

Line Item # 1899040660.001

Product and Service Details

Function	Voice
Type of Connection	ISDN-PRI

Cost Calculation for FRN Line Item # 1899040660.001

Monthly Cost	
Monthly Recurring Unit Cost	\$2,107.40
Monthly Recurring Unit Ineligible Costs	- \$45.07
Monthly Recurring Unit Eligible Costs	= \$2,062.33
Monthly Quantity	x 3
Total Monthly Eligible Recurring Costs	= \$6,186.99
Months of Service	x 12
Total Eligible Recurring Costs	= \$74,243.88

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 0
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$74,243.88
Total Eligible One-time Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$74,243.88

Recipients of Services

BEN	Name
96988	KENILWORTH ELEMENTARY SCHOOL
96995	LOWELL ELEMENTARY SCHOOL
97010	WHITTIER ELEMENTARY SCHOOL
97012	EMERSON ELEMENTARY SCHOOL
97016	GARFIELD ELEMENTARY SCHOOL
97017	EDISON ELEMENTARY SCHOOL
97020	CAPITOL ELEMENTARY SCHOOL
97021	DUNBAR ELEMENTARY SCHOOL
97022	BETHUNE ELEMENTARY SCHOOL
97039	MAGNET TRADITIONAL SCHOOL
97101	HEARD ELEMENTARY SCHOOL
97289	HERRERA ELEMENTARY SCHOOL
224590	MONTEREY PARK ELEMENTARY SCHOOL
224593	FAITH NORTH ELEMENTARY SCHOOL
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL
16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

FRN Calculation for FRN #1899040660

Monthly Charges	
Total Monthly Recurring Charges	\$6,322.20
Total Monthly Ineligible Charges	- \$135.21
Total Monthly Eligible Charges	= \$6,186.99
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$74,243.88

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$74,243.88
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$74,243.88
Discount Rate	10%
Funding Commitment Request	= \$7,424.39

Funding Request for FRN #1899040668

Funding Request Nickname: CENTURY LINK_POTS LINES

Service Type: Voice

Agreement Information - Contract

Contract Number	ADSP015-088468	Account Number	
Establishing FCC Form 470	180020383	Service Provider	CenturyLink Qwest Corporation (SPN: 143005231)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	Yes
Award Date	March 09, 2018	Based on a multiple award schedule?	No
How many bids were received for this contract?	2	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	June 30, 2020

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative POTS LINES_CENTURY LINK

Line Item # 1899040668.001

Product and Service Details

Function	Voice
Type of Connection	POTS

Cost Calculation for FRN Line Item # 1899040668.001

Monthly Cost	
Monthly Recurring Unit Cost	\$73.79
Monthly Recurring Unit Ineligible Costs	- \$12.16
Monthly Recurring Unit Eligible Costs	= \$61.63
Monthly Quantity	x 43
Total Monthly Eligible Recurring Costs	= \$2,650.09
Months of Service	x 12
Total Eligible Recurring Costs	= \$31,801.08

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 0
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$31,801.08
Total Eligible One-time Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$31,801.08

Recipients of Services

BEN	Name
96988	KENILWORTH ELEMENTARY SCHOOL
96995	LOWELL ELEMENTARY SCHOOL
97010	WHITTIER ELEMENTARY SCHOOL
97012	EMERSON ELEMENTARY SCHOOL
97016	GARFIELD ELEMENTARY SCHOOL
97017	EDISON ELEMENTARY SCHOOL
97020	CAPITOL ELEMENTARY SCHOOL
97021	DUNBAR ELEMENTARY SCHOOL
97022	BETHUNE ELEMENTARY SCHOOL
97039	MAGNET TRADITIONAL SCHOOL
97101	HEARD ELEMENTARY SCHOOL
97289	HERRERA ELEMENTARY SCHOOL
224590	MONTEREY PARK ELEMENTARY SCHOOL
224593	FAITH NORTH ELEMENTARY SCHOOL
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL
16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

FRN Calculation for FRN #1899040668

Monthly Charges	
Total Monthly Recurring Charges	\$3,172.97
Total Monthly Ineligible Charges	- \$522.88
Total Monthly Eligible Charges	= \$2,650.09
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$31,801.08

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$31,801.08
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$31,801.08
Discount Rate	10%
Funding Commitment Request	= \$3,180.11

[Funding Request for FRN #1899040675](#)

Funding Request Nickname: CENTURY LINK_VOICE - LONG DISTANCE - M2M

Service Type: Voice

Agreement Information - Month-to-Month

Establishing FCC Form 470 180020383

Account Number

Was an FCC Form 470 posted for the product and/or services you are requesting? Yes

Service Provider CenturyLink Qwest Communications Company, LLC (SPN: 143001157)

How many bids were received for this contract? 1

When will the services end? June 30, 2019

What is the service start date? July 01, 2018

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative LONG DISTANCE_CENTURY LINK - M2M

Line Item # 1899040675.001

Product and Service Details

Function Voice

Type of Connection Long Distance Phone Service Only

Cost Calculation for FRN Line Item # 1899040675.001

Monthly Cost	
Monthly Recurring Unit Cost	\$132.44
Monthly Recurring Unit Ineligible Costs	- \$2.39
Monthly Recurring Unit Eligible Costs	= \$130.05
Monthly Quantity	x 1
Total Monthly Eligible Recurring Costs	= \$130.05
Months of Service	x 12
Total Eligible Recurring Costs	= \$1,560.60

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 0
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$1,560.60
Total Eligible One-time Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$1,560.60

Recipients of Services

BEN	Name
96988	KENILWORTH ELEMENTARY SCHOOL
96995	LOWELL ELEMENTARY SCHOOL
97010	WHITTIER ELEMENTARY SCHOOL
97012	EMERSON ELEMENTARY SCHOOL
97016	GARFIELD ELEMENTARY SCHOOL
97017	EDISON ELEMENTARY SCHOOL
97020	CAPITOL ELEMENTARY SCHOOL
97021	DUNBAR ELEMENTARY SCHOOL
97022	BETHUNE ELEMENTARY SCHOOL
97039	MAGNET TRADITIONAL SCHOOL
97101	HEARD ELEMENTARY SCHOOL
97289	HERRERA ELEMENTARY SCHOOL
224590	MONTEREY PARK ELEMENTARY SCHOOL
224593	FAITH NORTH ELEMENTARY SCHOOL
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL
16035378	PHOENIX ELEM DISTRICT OFFICE-EMERSON WELCOME CENTER

FRN Calculation for FRN #1899040675

Monthly Charges	
Total Monthly Recurring Charges	\$132.44
Total Monthly Ineligible Charges	- \$2.39
Total Monthly Eligible Charges	= \$130.05
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$1,560.60

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$1,560.60
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$1,560.60
Discount Rate	10%
Funding Commitment Request	= \$156.06

Connectivity Questions

District/System-wide Internet Access Questions

Does your school district currently aggregate Internet access for the entire district(as opposed to buying Yes Internet access on a building-by-building basis)?

Download Speed 3.00 **Download Speed Units** Gbps

Upload Speed 3.00 **Upload Speed Units** Gbps

Per Entity Basis Questions

Entity Name PHOENIX ELEM SCHOOL DISTRICT 1 **Entity Number** 142894

BEN	Entity Name	Download	Units	Upload	Units	Connection	Wifi Sufficient	Barriers to Robust Network
96988	KENILWORTH ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
96995	LOWELL ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97010	WHITTIER ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97012	EMERSON ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97016	GARFIELD ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97017	EDISON ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97020	CAPITOL ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97021	DUNBAR ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97022	BETHUNE ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97039	MAGNET TRADITIONAL SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97101	HEARD ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
97289	HERRERA ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
224590	MONTEREY PARK ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
224593	FAITH NORTH ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers
224610	AUGUSTUS H. SHAW MONTESSORI SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Completely	No barriers

Certifications

I certify that the entities listed in this application are eligible for support because they are schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.

I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

Total Funding Summary

Below is a summary of the total line item costs on this FCC Form 471:

Summary	
Total funding year pre-discount eligible amount on this FCC Form 471	\$822,133.32
Total funding commitment request amount on this FCC Form 471	\$623,760.66
Total applicant non-discount share of the eligible amount	\$198,372.66
Total budgeted amount allocated to resources not eligible for E-rate support	\$118,000.00
Total amount necessary for the applicant to pay the non-discount share of eligible and any ineligible amounts	\$316,372.66

Are you receiving any of the funds directly from a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year?	No
Has a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds needed to pay your non-discounted share?	No

I certify an FCC Form 470 was posted and that any related RFP was made available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology goals.

I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500 and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, as prohibited by the Commission's rules at 47 C.F.R. § 54.503(d), other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts or other legally binding agreements covering all of the services listed on this FCC Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to USAC.

I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

I certify that if any of the Funding Requests on this FCC Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504.

Notice

Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to submit an application for such discounts by filing this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the application requirements for universal service discounts contained in 47 C.F.R. § 54.504. Schools and libraries must file this form themselves or as part of a consortium. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving your application for universal service discounts is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application for universal service discounts may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public. If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized. If you do not provide the information we request on the form, the FCC or the Universal Service Administrator may delay processing of your application for universal service discounts or may return your application without action. The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq. Public reporting burden for this collection of information is estimated to average 4.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.

Authorized Person

Title: E-Rate Consultant

Name: Kelly Dwyer

Phone: 928-442-5768

Email: kelly.dwyer@yavapai.us

Address:

2970 Centerpointe Drive East Prescott
AZ 86301

Employer:

Kelly Dwyer

Certified Timestamp

16-Mar-2018 21:36:13 EDT

EXHIBIT 5

Funding Commitment Decision Letter

Funding Year 2018

Contact Information:

Kelly Dwyer
PHOENIX ELEM SCHOOL DISTRICT 1
1817 N 7TH ST
PHOENIX, AZ 85006
kelly.dwyer@yavapai.us

FCC Form 471: 181022728**BEN:** 142894**Wave:** 10**Application Nickname:** 18_PHX ELEM_C1

Totals

Total Committed	\$14,133.43
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What is in this letter?

Thank you for submitting your application for Funding Year 2018 Schools and Libraries Program (E-rate) funding. Attached to this letter, you will find the funding statuses for the FCC Form(s) 471, Services Ordered and Certification Form, that you submitted and referenced above.

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

Next Steps

1. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying the full cost for the services you receive.
2. Review the [Children's Internet Protection Act \(CIPA\)](#) requirements and file the [FCC Form 486](#) (Service Confirmation and CIPA Certification Form). **The deadline to submit this form is 120 days from the date of this letter or from the service start date (whichever is later).**



3. Invoice USAC

- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
- **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
- **To receive an invoice deadline extension, the applicant or service provider must request an extension on or before the last date to invoice. If you anticipate, for any reason, that invoices cannot be filed on time,** USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

Note: The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC,** visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules,** please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request, identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).



Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake to assure that committed funds are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction of USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



Funding Commitment Decision Overview

Funding Year 2018

Application Comments for FCC Form 471: #181022728

The applicant did not submit any RAL corrections.

Funding Commitment Decision Overview

Funding Request Number (FRN)	Service Provider Name	Amount Requested	Amount Committed	Status
1899040623	Cox Arizona Telcom, LLC	\$76,518.00	\$0.00	Denied
1899040631	Cox Arizona Telcom, LLC	\$532,722.74	\$0.00	Denied
1899040645	Verizon Wireless (Cellco Partnership)	\$3,759.36	\$3,759.36	Funded
1899040660	CenturyLink Qwest Corporation	\$7,424.39	\$7,424.39	Funded
1899040668	CenturyLink Qwest Corporation	\$3,180.11	\$2,793.62	Funded
1899040675	CenturyLink Qwest Communications Company, LLC	\$156.06	\$156.06	Funded



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1
BEN: 142894

FCC Form 471: 181022728
Wave: 10

FRN 1899040623	Service Type Data Transmission and/or Internet Access	Status Denied
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$85,020.00	Total Eligible One Time Charges	\$0.00
Total Pre-discount Charges		\$85,020.00	
Discount Rate		90.00%	
Committed Amount		\$0.00	

Dates		Service Provider and Contract Information	
Service Start Date	7/1/2018	Service Provider	Cox Arizona Telcom, LLC
Contract Expiration Date	6/30/2023	SPIN (498ID)	143014467
Contract Award Date	3/12/2018	Contract Number	ADSPO 15-088473
Service Delivery Deadline	6/30/2019	Account Number	
Expiration Date (All Extensions)		Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Funding Commitment Decision Comments

DR1: This FRN will be denied because the FCC Form 470/RFP that you have cited contains a service provider's name. This is a competitive bidding violation because it deters other service providers from submitting a bid for services which may be more cost effective and interferes with the fair and open competitive bidding process required by FCC Rules.



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1
BEN: 142894

FCC Form 471: 181022728
Wave: 10

FRN 1899040631	Service Type Data Transmission and/or Internet Access	Status Denied
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$591,914.16	Total Eligible One Time Charges	\$0.00
Total Pre-discount Charges		\$591,914.16	
Discount Rate		90.00%	
Committed Amount		\$0.00	

Dates		Service Provider and Contract Information	
Service Start Date	7/1/2018	Service Provider	Cox Arizona Telcom, LLC
Contract Expiration Date	6/30/2023	SPIN (498ID)	143014467
Contract Award Date	3/12/2018	Contract Number	ADSPO 15-088473
Service Delivery Deadline	6/30/2019	Account Number	
Expiration Date (All Extensions)		Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Funding Commitment Decision Comments

DR1: This FRN will be denied because the FCC Form 470/RFP that you have cited contains a service provider's name. This is a competitive bidding violation because it deters other service providers from submitting a bid for services which may be more cost effective and interferes with the fair and open competitive bidding process required by FCC Rules.



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1
BEN: 142894

FCC Form 471: 181022728
Wave: 10

FRN 1899040645	Service Type Voice	Status Funded
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$37,593.60	Total Eligible One Time Charges	\$0.00
Total Pre-discount Charges		\$37,593.60	
Discount Rate		10.00%	
Committed Amount		\$3,759.36	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2019
Contract Award Date	3/12/2018
Service Delivery Deadline	6/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Verizon Wireless (Cellco Partnership)
SPIN (498ID)	143000677
Contract Number	
Account Number	
Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Funding Commitment Decision Comments

MR1: Approved as submitted.



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1
BEN: 142894

FCC Form 471: 181022728
Wave: 10

FRN 1899040660	Service Type Voice	Status Funded
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$74,243.88	Total Eligible One Time Charges	\$0.00
Total Pre-discount Charges		\$74,243.88	
Discount Rate		10.00%	
Committed Amount		\$7,424.39	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2020
Contract Award Date	3/9/2018
Service Delivery Deadline	6/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	CenturyLink Qwest Corporation
SPIN (498ID)	143005231
Contract Number	ADSP015-088468
Account Number	
Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Funding Commitment Decision Comments

MR1: Approved as submitted.



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1
BEN: 142894

FCC Form 471: 181022728
Wave: 10

FRN 1899040668	Service Type Voice	Status Funded
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$27,936.24	Total Eligible One Time Charges	\$0.00
Total Pre-discount Charges		\$27,936.24	
Discount Rate		10.00%	
Committed Amount		\$2,793.62	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2020
Contract Award Date	3/9/2018
Service Delivery Deadline	6/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	CenturyLink Qwest Corporation
SPIN (498ID)	143005231
Contract Number	ADSP015-088468
Account Number	
Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Funding Commitment Decision Comments

MR1: The FRN was modified from \$2,650.09/month to \$2,646.35/month to agree with the applicant documentation.
<><><><><> MR2: The amount of the funding request was changed from \$2,646.35/month to \$2,328.02/month to remove the ineligible service(s): Call Forwarding and Long Distance Restriction.



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1
BEN: 142894

FCC Form 471: 181022728
Wave: 10

FRN 1899040675	Service Type Voice	Status Funded
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$1,560.60	Total Eligible One Time Charges	\$0.00
Total Pre-discount Charges		\$1,560.60	
Discount Rate		10.00%	
Committed Amount		\$156.06	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2019
Contract Award Date	
Service Delivery Deadline	6/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	CenturyLink Qwest Communications Company, LLC
SPIN (498ID)	143001157
Contract Number	
Account Number	
Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Funding Commitment Decision Comments

MR1: Approved as submitted.

EXHIBIT 6

Revised Funding Commitment Decision Letter

Funding Year 2018

Contact Information:

Kelly Dwyer
PHOENIX ELEM SCHOOL DISTRICT 1
1817 N 7TH ST
PHOENIX, AZ 85006
kelly.dwyer@yavapai.us

BEN: 142894**Post Commitment Wave:** 7

Totals

Original Commitment Amount	\$0.00
Revised Commitment Amount	\$0.00

What is in this letter?

Thank you for submitting your post-commitment request for **Funding Year 2018 Schools and Libraries Program (E-rate) funding**. Attached to this letter, you will find the revised funding statuses and/or post commitment changes to the original Funding Commitment Decision Letter (FCDL) you received. Below are the changes that were made:

- Appeals
- Appeals

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

Next Steps

1. **File the FCC Form 486**, Service Confirmation and Children's Internet Protection Act (CIPA) Certification Form, for any FRNs included in this RFCDL, if you have not already done so. Please review the CIPA requirements and file the form(s).



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1

BEN: 142894

Post Commitment Wave: 7

- o **If USAC approved funding on an FRN in your original FCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of the original FCDL or from the service start date (whichever is later).
 - o **If a new FRN was created for this RFCDL or funding was not approved on an FRN in your original FCDL but is approved in this RFCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of this RFCDL or from the service start date (whichever is later).
2. **Invoice USAC**, if you or your service provider have not already done so. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying your bills in full.
- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
 - **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
 - **To receive an invoice deadline extension, the applicant or service provider** must request an extension on or before the last date to invoice. **If you anticipate, for any reason, that invoices cannot be filed on time**, USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

Note: The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC**, visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules or appeal USAC's appeal decision**, please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request,



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1

BEN: 142894

Post Commitment Wave: 7

identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).

Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1

BEN: 142894

Post Commitment Wave: 7

Revised Funding Commitment Decision Overview

Funding Year 2018

Funding Request Number (FRN)	Service Provider Name	Request Type	Revised Committed	Review Status
1899040623	Cox Arizona Telcom, LLC	Appeals	\$0.00	Denied
1899040631	Cox Arizona Telcom, LLC	Appeals	\$0.00	Denied



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1

BEN: 142894

Post Commitment Wave: 7

Post Commitment Request Number: 119441	Post Commitment Request Type: Appeals	Post Commitment Decision: Denied
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FRN: 1899040623	Service Type: Data Transmission and/or Internet Access	Original Status: Denied	Revised Status: Denied
FCC Form 471: 181022728			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$85,020.00	Total Eligible One Time Charges	\$0.00
Total Pre-Discount Charges		\$85,020.00	
Discount Rate		90.00%	
Revised Committed Amount		\$0.00	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2023
Contract Award Date	3/12/2018
Service Delivery Deadline	6/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Cox Arizona Telcom, LLC
SPIN (498ID)	143014467
Contract Number	ADSP0 15-088473
Account Number	
Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Revised Funding Commitment Decision Comments:
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Post Commitment Rationale:

Your appeal has been denied. USAC denied your Funding Request Number 1899040623 because the Services Requested Section of the FCC Form 470 or Request For Proposal (RFP) that you have cited contains the service provider's name. This is a competitive bidding violation because it deters other service providers from submitting a bid for equivalent services which may be more cost effective and interferes with the fair and open competitive bidding process required by the FCC rules. In your appeal, you have not shown that USAC's determination was incorrect. Consequently, USAC denies your appeal. FCC rules require applicants to submit a complete description of the services they seek so that it may be posted for competing service providers to evaluate and this application must



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1

BEN: 142894

Post Commitment Wave: 7

describe the services that the schools and libraries seek to purchase in sufficient detail to enable potential providers to formulate bids. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9076, and 9078-79, FCC 97-157 paras. 570, 575 (rel. May 8, 1997). Additionally, FCC rules require that, except under limited circumstances, an eligible school, library or consortium that includes an eligible school or library shall seek competitive bids for all services eligible for support and must conduct a fair and open competitive bidding process. See 47 C.F.R. sec. 54.503(a) and (b). The following actions violate a fair and open competitive bidding process: a service provider representative is listed as the FCC Form 470 contact person and allows that service provider to participate in the competitive bidding process and/or the service provider prepares the applicant's FCC Form 470 or participates in the bid evaluation or vendor selection process in any way. See 47 C.F.R. sec. 54.503(a).



BEN Name: PHOENIX ELEM SCHOOL DISTRICT 1

BEN: 142894

Post Commitment Wave: 7

Post Commitment Request Number: 119441	Post Commitment Request Type: Appeals	Post Commitment Decision: Denied
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FRN: 1899040631	Service Type: Data Transmission and/or Internet Access	Original Status: Denied	Revised Status: Denied
FCC Form 471: 181022728			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$591,914.16	Total Eligible One Time Charges	\$0.00
Total Pre-Discount Charges		\$591,914.16	
Discount Rate		90.00%	
Revised Committed Amount		\$0.00	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2023
Contract Award Date	3/12/2018
Service Delivery Deadline	6/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Cox Arizona Telcom, LLC
SPIN (498ID)	143014467
Contract Number	ADSP0 15-088473
Account Number	
Establishing FCC Form 470	180020383

Consultant Information	
Consultant Name	Kelly Dwyer
Consultant's Employer	Yavapai County Educational Service Agency
CRN	16071819

Revised Funding Commitment Decision Comments:
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Post Commitment Rationale:

Your appeal has been denied. USAC denied your Funding Request Number 1899040631 because the Services Requested Section of the FCC Form 470 or Request For Proposal (RFP) that you have cited contains the service provider's name. This is a competitive bidding violation because it deters other service providers from submitting a bid for equivalent services which may be more cost effective and interferes with the fair and open competitive bidding process required by the FCC rules. In your appeal, you have not shown that USAC's determination was incorrect. Consequently, USAC denies your appeal. FCC rules require applicants to submit a complete description of the services they seek so that it may be posted for competing service providers to evaluate and this application must



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